REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-12 are pending in this application. Claims 1, 3, 5-7, 9, 11 and 12 are independent. Claims 1-12 are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed and specifically on page 45. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II.   REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,603,737 to Fukunaga, et al. (hereinafter, merely "Fukunaga") in view of U.S. Patent No. 5,459,533 to Kim (hereinafter, merely "Kim") or U.S. Patent No. 6,032,944 to Lee, (hereinafter, merely "Lee").

Claim 1 recites, *inter alia*:

"An image processing apparatus...

printing state information request generating means for generating
the printing state information request requesting the printing state
information indicating a printing state of a printing device;

**<u>wherein said outputting means periodically outputs said
printing state information request to said printing device
during a variable interval</u>**." (emphasis added)

As understood by Applicant, Fukunaga relates to a data transmission system

where an image providing device and a printer are connected and where image data is sent from

the image providing device to the printer based on information included in a response to a

command provided by the image providing device. The printer converts the image data

outputted from the image providing device into print data.

As understood by Applicant, Kim relates to a method for eliminating a paper jam

from an image forming system. The image forming system includes an engine driving motor,

register rollers, a paper cassette and fixing rollers. The paper jam elimination system includes

the steps of determining if a paper jam has occurred, displaying an indication of the paper jam

upon its detection on the image forming system and delivering the jammed paper to an exterior

of the image forming system.

As understood by Applicant, Lee relates to a paper re-pickup method for an image

forming apparatus where if an initial attempt at paper pickup is unsuccessful, then it is re-

attempted automatically. The method includes the steps of picking up the uppermost sheet of

papers stacked and checking for a normal paper pickup procedure. If the paper pickup is not

normally carried out, the image forming apparatus checks whether the value of the paper pickup

re-try counter is zero. If the counter is zero, there is a paper jam occurrence and the print engine

sends a signal indicating which is displayed on the printing device.

Applicant submits that Fukunaga, Kim and Lee, taken either alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, Applicant submits that there is no teaching or suggestion of an outputting <u>wherein said outputting means periodically outputs said printing state information request to said printing device during a variable interval</u>, as recited in claim 1.

Therefore, Applicant submits that claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 3, 5-7, 9, 11 and 12 are also believed to be patentable.

Therefore, Applicant submits that independent claims 1, 3, 5-7, 9, 11 and 12 are patentable.

III.   DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the

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Reply to Office Action dated February 21, 2006   450100-02651
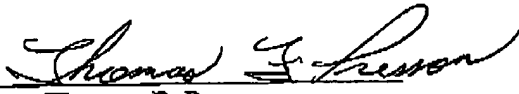
Examiner specifically indicate those portions of the reference, or references, providing the basis

for a contrary view.

Please charge any additional fees that may be needed, and credit any

overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the

claims in this application are patentable and Applicant respectfully requests early passage to

issue of the present application.

Respectfully submitted,

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